

REQUEST FOR RECONSIDERATION UNDER 1.111

U.S. Application No. 09/628,168

Attorney Docket No. Q60267

Applicant notes that the Examiner has indicated that claim 3 contains allowable subject matter (see Office Action, page 3, numbered paragraph 3); however, the Examiner also rejects claim 3 under 35 U.S.C. § 102(b) (see Office Action, page 2, numbered paragraph 2; see also Summary of Office Action). Therefore, for purposes of responding to the present Office Action, Applicant assumes that the Examiner intended to reject claim 3 under 35 U.S.C. § 102(b), since the text of the § 102(b) rejection specifically addresses claim 3.

With respect to dependent claims 4, 6, and 7, Applicant submits that these claims are in condition for allowance in their present form at least by virtue of their dependency from claim 1, which Applicant believes is in condition for allowance for at least the reasons set forth below. Thus, Applicant submits that claims 4, 6, and 7 are in condition for immediate allowance in their present form; and therefore, Applicant has not rewritten these claims in independent form at this time.

II. Rejections based on Prior Art Grounds

The Examiner rejects claims 1-3, 5, and 8 under 35 U.S.C. § 102(b) as being anticipated by Magocs (U.S. Patent No. 5,048,931). For at least the following reasons, Applicant traverses this rejection.

Applicant's invention relates to a novel and unobvious combination of elements that form a device for enhancing contrast for a liquid crystal display (LCD) projection system. In particular, claim 1 recites, *inter alia*, "a contrast control portion positioned on the same optical axis as that of the LCD panel, for controlling an amount of scanned light according to the brightness of a corresponding image."

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It is settled law that to anticipate a claim, the reference must disclose all of the elements of the claim in as complete detail as described in the claim.

The Examiner alleges that Magocs discloses all of the features of the claimed invention. In particular, the examiner takes that position that the analyzer 22 of Magocs is comparable to the contrast control portion for controlling an amount of scanned light according to the brightness of a corresponding image, as recited in claim 1. Applicant respectfully submits that the Examiner is mischaracterizing the Magocs reference.

Magocs relates to a liquid crystal display projection system having improved contrast. However, contrary to the Examiner's position, Magocs neither discloses nor suggests the claimed contrast control portion for controlling an amount of scanned light according to the brightness of a corresponding image, as recited in claim 1. Instead, Magocs merely discloses an "analyzer" that allows light polarized in one of the planes to pass through the analyzer, while light polarized in the other plane is blocked. That is, the analyzer of Magocs is merely a second polarizer. In fact, the invention of Magocs is based on the realization that the analyzer itself (i.e., depicted as the conventional analyzer location 22) would provide enhanced contrast if placed in the vicinity of, or incorporated with, the screen 26, as shown in the Figure (see also, col. 2, lines 63-66). In other words, Magocs merely relocates a second polarizer such that it is laminated on the front, back, or in the middle of the screen.

As another example, Magocs discloses that the "analyzer is the same as the analyzer normally forming the output element in a liquid crystal display, i.e., transmits only light polarized in a particular plane" (see col. 1, line 64, to col. 2, line 1). Furthermore, Magocs

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discloses that the analyzer and polarizer are generally made of the same material (see col. 3, lines 3-4). That is, the analyzer is a plastic sheet several millimeters thick which is readily laminated onto the screen in any of the three indicated positions disclosed by Magocs (see col. 3, lines 4-9).

Accordingly, Applicant respectfully submits that Magocs clearly does not disclose or suggest the claimed contrast control portion for controlling an amount of scanned light according to the brightness of a corresponding image, as recited in claim 1. On the contrary, Magocs merely discloses a second polarizer that is positioned near the screen. Thus, the analyzer of Magocs is comparable, at best, to the second polarizing plate 17 depicted in Applicant's Figures 1 and 2. In fact, Magocs does not even mention a device that controls an amount of scanned light according to the brightness of a corresponding image. Instead, Magocs discloses only a polarizer (i.e., the analyzer) for transmitting only light polarized in a particular plane.

For at least the foregoing reasons, Applicant respectfully submits that Magocs clearly does not disclose or suggest all of the recitations of independent claim 1; and therefore, claims 1-3, 5, and 8 are neither anticipated by, nor obvious from, the Magocs reference. Thus, the § 102(b) rejection of these claims should be withdrawn and claims 1-3, 5, and 8 should be allowed.

Accordingly, Applicant submits that all of the claims of the present application (claims 1-8) are in condition for immediate allowance.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

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Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860


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John A. Dresch
Registration No. 46,672

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